

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**BRANDON TIMMONS,**  
**Plaintiff**

**v.**

**F. WALTERS, et al.,**  
**Defendants**

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**No. 1:20-cv-2393**

**(Judge Kane)**

**ORDER**

**AND NOW**, on this 23rd day of May 2022, in accordance with the Memorandum issued concurrently with this Order, **IT IS ORDERED THAT:**

1. Plaintiff's first motion for leave to amend (Doc. No. 50) is **DENIED AS MOOT**;
2. Plaintiff's second motion for leave to amend (Doc. No. 60) is **GRANTED**;
3. The Clerk of Court is directed to docket the proposed complaint attached to Plaintiff's second motion for leave to amend (Doc. No. 60-1) as a separate docket entry. The complaint shall be docketed as the Second Amended Complaint;
4. The aforementioned Second Amended Complaint shall be the operative pleading in this case. All previous complaints and proposed complaints shall be given no legal effect;
5. The Clerk of Court is directed to amend the caption of this case to include Defendants Styka and Kephart as Defendants;
6. In accordance with Federal Rule of Civil Procedure 4(c)(3), the Clerk of Court is directed to **SERVE** a copy of the Second Amended Complaint, notice of lawsuit and request to waive service of summons (form AO 398), waiver of the service of summons (form AO 399), and this Order on Defendants Styka and Kephart. In the interest of efficient administrative judicial economy, the Court requests that Defendants waive service pursuant to Federal Rule of Civil Procedure 4(d);
7. If service is unable to be completed due to Plaintiff's failure to properly name Defendants or provide an accurate mailing address for Defendants, Plaintiff will be required to correct this deficiency. Failure to comply may result in the dismissal of Plaintiff's claims against Defendants pursuant to Federal Rule of Civil Procedure 4(m);
8. All Defendants shall respond to the Second Amended Complaint in accordance with the Federal Rules of Civil Procedure;

9. Plaintiff's motions for issuance of subpoenas, motion to compel discovery, and motion for appointment of counsel (Doc. Nos. 54, 57, 59, 64) are **DENIED**;
10. Plaintiff's motions for extension of the discovery deadline (Doc. Nos. 56, 62) are **DENIED AS MOOT**;
11. The discovery and dispositive motions deadlines are **STAYED** pending the filing of responsive pleadings by defendants Styka and Kephart; and
12. A revised case management order shall be issued at the close of pleadings.

s/ Yvette Kane  
Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania